UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/071,496	03/01/2002	Brian Chess	NetLedger 709	7530

7590 09/30/2008

Robert Moll
1173 St. Charles Court
Los Altos, CA 94024

EXAMINER	
GOLD, AVI M	

ART UNIT	PAPER NUMBER
2157	

MAIL DATE	DELIVERY MODE
09/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/071,496	CHESS ET AL.	
	Examiner	Art Unit	
	AVI GOLD	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 July 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the amendment filed on July 7, 2008. Claim 18 was amended. Claims 1-18 are pending.

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangarajan et al., U.S. Patent No. 6,510,439, further in view of Gao et al., U.S. Patent Publication No. 2002/0032701.

Rangarajan teaches the invention substantially as claimed including a method and system for providing coherency between files in a group of files retrieved over an Internet connection (see abstract).

As to claim 1, Rangarajan teaches a client-side caching system, comprising:

a client for issuing a request based on user selection for a resource on a server (col. 4, lines 41-47, Rangarajan discloses a client requesting a document through a server); and

a server for sending a response including a cookie and a script to the client, wherein the cookie value represents the last version of the resource, and the script appends the cookie value to the request for a resource and the client requests the resource with the appended cookie value so that if the most recent version of the resource is in the client cache, the resource is retrieved from client cache rather than from the server, and if not, is retrieved from the server (col. 7, lines 8-16, Rangarajan discloses a cookie and script sent to a client; col. 7, lines 31-44, col. 9, line 65 – col. 10, line 11, Rangarajan discloses a client making requests, the cookie being updated, and the cookie having stored data within it).

Rangarajan fails to teach the limitation further including the use of client-side script that automatically re-requests a resource.

However, Gao teaches independent update and assembly of web page elements (see abstract). Gao teaches a client side script that automatically requests updated data (paragraph 47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rangarajan in view of Gao to use a client-side script that automatically re-requests a resource. One would be motivated to do so because it is more efficient for the script to run on the client.

Regarding claim 2, Rangarajan teaches the client-side caching system of claim 1, wherein the resource is a web page, the resource is located at a URL, and the client is a web browser with a browser cache (col. 7, lines 8-16, Rangarajan discloses that the resource is located at a URL and that the cookie is sent back and stored on the web browser).

Regarding claim 3, Rangarajan teaches the client-side caching system of claim 1, wherein the response includes a non-displayed relatively small page and the cookie is in a response header and the client-side script is in the entity body of the response (col. 7, lines 31-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 4, Rangarajan teaches the client-side caching system of claim 1, wherein the client-side script that appends the cookie value to the request is embedded in a displayed page (col. 7, lines 31-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 5, Rangarajan teaches a server for a client-side caching system, comprising:

a server for receiving a client request for a resource, updating a database, creating and inserting a cookie and a script in a response to the client, wherein the cookie value represents the last version of the resource, the script appends the cookie value to the request for a resource such that the client requests the resource with the appended cookie value so that if the most recent version of the resource is in the client

cache, the resource is retrieved from client cache rather than from the server, and if not, the resource is retrieved from the server (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Rangarajan fails to teach the limitation further including the use of client-side script that automatically re-requests a resource.

However, Gao teaches a client side script that automatically requests updated data (paragraph 47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rangarajan in view of Gao to use a client-side script that automatically re-requests a resource. One would be motivated to do so because it is more efficient for the script to run on the client.

Regarding claim 6, Rangarajan teaches the server of claim 5, wherein the server includes a web server for listening to client requests, the resource is a web page, and an application server for creating the cookie and inserting the cookie into a response header and inserting the client-side script into the entity body of the response (col. 7, lines 8-16, lines 31-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 7, Rangarajan teaches the server of claim 6, wherein the server sets the cookie value by determining the last modified time of each page in the same class as the page which is the subject of the request, and sets the cookie value to the

maximum value of the last modified times (col. 7, lines 31-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 8, Rangarajan teaches the client-side caching system of claim 2, wherein the server sets the cookie value by determining the last modified time of each web page in the same class as the web page which is the subject of the request, and sets the cookie value to the maximum value of the last modified times (col. 6, lines 38-40, col. 9, lines 22-37, Rangarajan discloses a cookie specifying a time).

Regarding claim 9, Rangarajan teaches a client-side caching system, comprising:

a client for issuing a request based on a user selection for a resource stored on a server and for receiving a server response including a cache control object and a script, wherein the cache control object represents the correct version of the resource, the script appends the cache control object value to the request for the resource, and the client requests the resource with the appended cache control object value so that if the correct version of the resource is in the client cache, the resource is retrieved from the client cache rather than from the server, and if not, the resource is retrieved from the server (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Rangarajan fails to teach the limitation further including the use of client-side script that automatically re-requests a resource.

However, Gao teaches a client side script that automatically requests updated data (paragraph 47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rangarajan in view of Gao to use a client-side script that automatically re-requests a resource. One would be motivated to do so because it is more efficient for the script to run on the client.

Regarding claim 10, Rangarajan teaches the client-side caching system of claim 9, wherein the resource is a web page located at a URL, the correct version is the last version of the resource, and the client is a web browser with a browser cache (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 11, Rangarajan teaches the client-side caching system of claim 10, wherein the request and the response are HTTP compliant, the response is a relatively small non-displayed page, the cache control object is a cookie in a response header, and the client-side script is in the entity body of the response (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 12, Rangarajan teaches the client-side caching system of claim 9, wherein the client-side script that appends the cache control object to the request is embedded in a displayed page (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 13, Rangarajan teaches the client-side caching system of claim 9, wherein Internet protocols define communication between the client and the server, and the correct version is the last version of the resource (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 14, Rangarajan teaches the client-side caching system of claim 11, wherein the server sets the cookie value by determining the last modified time of each page in the same class as the page which is the subject of the request, and sets the cookie value to the maximum value of the last modified times (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 15, Rangarajan teaches a method of client-side caching in a server, comprising:

receiving a client request for a web page; and

inserting a cookie and a script in response to the client request, wherein the cookie value represents the last version of the web page, wherein the script appends the cookie value to the client request for the web page such that the client automatically re-requests the web page with the appended cookie value so that if the most recent version of the web page is in the client cache, the web page is retrieved from client cache rather than from the server, and if not, the web page is retrieved from the server (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Rangarajan fails to teach the limitation further including the use of client-side script that automatically re-requests a resource.

However, Gao teaches a client side script that automatically requests updated data (paragraph 47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rangarajan in view of Gao to use a client-side script that automatically re-requests a resource. One would be motivated to do so because it is more efficient for the script to run on the client.

Regarding claim 16, Rangarajan teaches the method of claim 15, further comprising determining the last modified time of each web page in the same class as the web page which is the subject of the request, and setting the cookie value to the maximum value of the last modified times (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 17, Rangarajan teaches the method of claim 15, further comprising:

reviewing the extension of the requested web page to determine run time environment;

loading the run time environment; and

updating a database with information from the client request (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Regarding claim 18, Rangarajan teaches a method of client-side caching in a browser, comprising:

presenting a user selection for a web page at a URL; and

receiving a server response including a cookie and script, wherein the cookie value represents the most recent version of the web page, the script appends the cookie value to the URL and requests the web page with rewritten URL of the URL with the appended cookie value so that if the most recent version of the web page is in the browser cache, the web page is retrieved from the browser cache, and if not, the resource is retrieved from the server (col. 7, lines 8-44, col. 9, line 65 – col. 10, line 11).

Rangarajan fails to teach the limitation further including the use of client-side script that automatically re-requests a resource.

However, Gao teaches a client side script that automatically requests updated data (paragraph 47).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rangarajan in view of Gao to use a client-side script that automatically re-requests a resource. One would be motivated to do so because it is more efficient for the script to run on the client.

Response to Arguments

3. Applicant's arguments filed July 7, 2008 have been fully considered but they are not persuasive.

The applicant argues that the reference, Rangarajan, does not disclose a client-side caching system. The examiner respectfully disagrees, as seen in, column 9, lines 10-21 and lines 38-54, there is a client requesting documents that have already been received and a termination of a session due to it, as the documents are kept/cached on the client. In addition, column 7, lines 8-44, there is an appropriate document sent to a client via a URL, which would inherently be stored in the browser cache; i.e. the client cache. The examiner would also like to note that Gao, in paragraph 12, discloses a client-side caching system as well.

The application also argues that the reference, Gao, does not disclose automatically re-requesting a resource. The examiner respectfully disagrees, as seen in, paragraphs 47 and 50, there is a client side script that automatically requests updated data. The request for the updated data is temporary placed on a phantom page and is then displayed in the original Web page window that the re-request is updating.

4. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). A client

5. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the knowledge is generally available to one of ordinary skill in the art.

6. In response to applicant's argument that Gao's client-side scripts "destroy" Rangarajan, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,834,294 to Katz

U.S. Pat. No. 6,757,705 to Pardikar et al.

U.S. Pat. No. 6,327,608 to Dillingham

U.S. Pat. No. 6,785,769 to Jacobs et al.

U.S. Pat. No. 6,226,642 to Beranek et al.

U.S. Pat. No. 6,178,461 to Chan et al.

U.S. Pat. No. 6,026,474 to Carter et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AVI GOLD whose telephone number is (571)272-4002. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

AMG

/Ario Etienne/
Supervisory Patent Examiner, Art Unit 2157